

UNCLASSIFIED  
FAX COVER SHEET

b(3)

Central Intelligence Agency



Office of General Counsel  
Room  Washington, DC 20505  
TEL: (703) 851-2122

Date: July 29, 1998

From:

Attorney Advisor

To:

FAX:

Phone:

Subject: Huffington - Amended Complaint

Thanks for the letter. Could you just drop me a L/N when you get confirmation that the letter has, in fact, been mailed? Thanks.

NOTICE TO RECIPIENT

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APPROVED FOR RELEASE  
DATE: MAY 2006

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

ARIANNA HUFFINGTON  
3299 K Street, N.W., Suite 402  
Washington, D.C. 20007

Plaintiff

v.

Case No. 98-1013 (JR)

DEPARTMENT OF STATE  
Washington, D.C. 20520

and

DEPARTMENT OF JUSTICE  
Washington, D.C. 20530

and

FEDERAL BUREAU OF INVESTIGATION \*  
Washington, D.C. 20535

and

CENTRAL INTELLIGENCE AGENCY  
Washington, D.C. 20505

and

DEPARTMENT OF ARMY  
Washington, D.C. 20310

Defendants.

\* \* \* \* \*

FIRST AMENDED COMPLAINT

1. This is an action under the Freedom of Information Act ("FOIA"),  
5 U.S.C. § 552, as amended, for injunctive and other appropriate relief and the disclosure  
of agency records improperly withheld from plaintiff by defendants Department of State

("DOS"), Department of Justice ("DOJ"), Federal Bureau of Investigation ("FBI"), Central Intelligence Agency ("CIA") and the Department of Army ("Army").

### JURISDICTION AND VENUE

2. This Court has both subject matter jurisdiction over this action and personal jurisdiction over the defendants pursuant to 5 U.S.C. § 552 (a)(4)(B). This Court also possesses jurisdiction over this action pursuant to 28 U.S.C. § 1331. Venue lies in this district under 5 U.S.C. § 552 (a)(4)(B).

### PARTIES

3. Arianna Huffington is a nationally syndicated columnist whose articles appear in newspapers throughout the United States, including the *Los Angeles Times*, the *Chicago Sun Times* and *New York Post*.

4. The DOS is an agency within the meaning of 5 U.S.C. § 552 (f) and is in possession and/or control of the records requested by Ms. Huffington which are the subject of this action.

5. The DOJ is an agency within the meaning of 5 U.S.C. § 552 (f) and is in possession and/or control of the records requested by Ms. Huffington which are the subject of this action.

6. The FBI is an agency within the meaning of 5 U.S.C. § 552 (f) and is in possession and/or control of the records requested by Ms. Huffington which are the subject of this action.

7. The CIA is an agency within the meaning of 5 U.S.C. § 552 (f) and is in possession and/or control of the records requested by Ms. Huffington which are the subject of this action.

8. The Army is an agency within the meaning of 5 U.S.C. § 552 (f) and is in possession and/or control of the records requested by Ms. Huffington which are the subject of this action.

## BACKGROUND

9. In March 1994, Maurice Larry Lawrence, a Californian businessman, was confirmed by the United States Senate, despite a 10-10 tie in the Senate Judiciary Committee, to serve as the United States Ambassador to Switzerland. Soon thereafter, Shelia Lawrence, the Ambassador's wife, was appointed by President William Clinton to serve as the U.S. Special Representative to the World Conservation Union.

10. From March 13, 1993 to April 30, 1995, Christina Marie Alexandre, a State Department employee, served as the Special Assistant to the Ambassador and his wife. Ms. Alexandre resigned in protest on April 18, 1995 and simultaneously requested the State Department's Office of Inspector General to investigate Ambassador and Mrs. Lawrence for mismanagement, waste of government money and fraud.

11. The State Department's Office of Inspector General conducted a criminal probe regarding Ms. Alexandre's allegations which was closed on January 16, 1996 due to Ambassador Lawrence's death. Upon information and belief, the State Department received complaints, other than from Ms. Alexandre, against Ambassador and/or Mrs. Lawrence that were being investigated or under consideration for investigation at the time of Ambassador's Lawrence's death.

12. Upon information and belief, during the Lawrences' tenure in Switzerland, the State Department expressly authorized the Lawrences to raise funds through a private Lawrence foundation for the purposes of refurbishing the Ambassador's residence in Bern, Switzerland. As a result, funds were solicited directly from Swiss companies and/or individuals who conduct business with the United States and American companies that have business in Switzerland. Items purchased through this effort were considered property of the United States. However, after the Ambassador's death, Mrs. Lawrence took with her many of the items obtained through the refurbishment for her personal use.

13. Following the Ambassador's death, Mrs. Lawrence secured a waiver for his burial in Arlington National Cemetery on the pretext the Ambassador had served in the Merchant

Marines during World War Two. Upon information and belief, Mrs. Lawrence also actively lobbied the Clinton Administration to obtain an Ambassadorship for herself.

14. In a series of newspaper articles that appeared nationally in November and December 1997, plaintiff Arianna Huffington exposed Ambassador Lawrence's military record as having been fabricated. As a result, the Ambassador's remains were exhumed in December 1997.

15. Upon information and belief, following the revelations that Ambassador Lawrence had fabricated his military record, the U.S. Department of Justice opened a probe into the vetting of files related to the Ambassador's nomination and/or appointment to Switzerland.

#### COUNT ONE (FOIA REQUEST - DOS)

16. Ms. Huffington repeats and realleges the allegations contained in paragraphs 1 through 15 above, inclusive.

17. By letter dated 10 March 1998, Ms. Huffington, by and through counsel, submitted a FOIA request to the DOS for all documents pertaining to Ambassador Maurice Larry Lawrence and Shelia Davis Lawrence.

18. By letter dated 25 March 1998, DOS assigned Ms. Huffington's request reference number 199801064.

19. No substantive responses have been received from DOS.

20. DOS has failed to comply with the requisite statutory periods which govern compliance under the FOIA. Therefore, the DOS has wrongfully withheld documents from Ms. Huffington.

21. As DOS has failed to respond to Ms. Huffington's FOIA request, Ms. Huffington is not required to exhaust administrative remedies.

22. Ms. Huffington has a legal right under the FOIA to obtain the information she seeks, and there is no legal basis for the denial by the DOS of said right.

COUNT TWO (FOIA REQUEST - DOJ)

23. Ms. Huffington repeats and realleges the allegations contained in paragraphs 1 through 15 above, inclusive.

24. By letter dated 10 March 1998, Ms. Huffington, by and through counsel, submitted a FOIA request to the DOJ for all documents pertaining to Ambassador Maurice Larry Lawrence and Shelia Davis Lawrence.

25. By letter dated 1 April 1998, DOJ referred the request to the Federal Bureau of Investigations, the Office of the Inspector General and the Executive Office for U.S. Attorneys for direct responses.

26. By letter dated 3 April 1998, the Office of the Inspector General indicated it had no responsive records pertaining to request number 98-OIG-49.

27. By letter dated 22 April 1998, Ms. Huffington notified DOJ that responsive records may be located within the Offices of the Attorney General, Deputy Attorney General, Associate Attorney General, Office of Legal Counsel, Office of Legislative Affairs and Office of Public Affairs and requested that the appropriate searches be conducted.

28. By letter dated 14 May 1998, DOJ's Executive Office for United States Attorney indicated it would neither confirm nor deny whether records pertaining to Sheila Davis Lawrence existed.

29. By letter dated 20 May 1998, DOJ notified Ms. Huffington that it had referred her request to those offices indicated in her letter dated 22 April 1998.

30. By letter dated 2 June 1998, DOJ's Office of Information and Privacy indicated that it will be responding to Ms. Huffington's request on behalf of the Offices of the Attorney General, Deputy Attorney General, Deputy Attorney, Associate Attorney General, Legislative Affairs and Public Affairs. DOJ noted that it could not comply with either the 20 day working time limit, or the 10 additional days provided by the statute.

31. No further responses have been received from DOJ.



43. By letter dated 2 June 1998, FBI notified Ms. Huffington that records pertaining to Ambassador Lawrence did exist and 50 pages were substantially released.

44. FBI has failed to comply with the requisite statutory periods which govern compliance under the FOIA. Therefore, the FBI has wrongfully withheld documents from Ms. Huffington.

45. As FBI has failed to respond to Ms. Huffington's FOIA request regarding Mrs. Lawrence, Ms. Huffington is not required to exhaust administrative remedies.

46. Ms. Huffington has a legal right under the FOIA to obtain the information she seeks, and there is no legal basis for the denial by the FBI of said right.

COUNT FOUR (FOIA REQUEST - CIA)

47. Ms. Huffington repeats and realleges the allegations contained in paragraphs 1 through 15 above, inclusive.

48. By letter dated 10 March 1998, Ms. Huffington, by and through counsel, submitted a FOIA request to the CIA for all documents pertaining to Ambassador Maurice Larry Lawrence and Shelia Davis Lawrence.

49. By letter dated 1 April 1998, CIA notified Ms. Huffington that it had assigned reference number F-1998-00456 to her request and needed more specific information regarding Mrs. Lawrence prior to processing the request.

50. By letter dated 7 April 1998, Ms. Huffington provided CIA with the requested information regarding Mrs. Lawrence.

51. No substantive responses have been received from CIA.

52. CIA has failed to comply with the requisite statutory periods which govern compliance under the FOIA. Therefore, the CIA has wrongfully withheld documents from Ms. Huffington.

53. As CIA has failed to respond to Ms. Huffington's FOIA request, Ms. Huffington is not required to exhaust administrative remedies.



54. Ms. Huffington has a legal right under the FOIA to obtain the information she seeks, and there is no legal basis for the denial by the CIA of said right.

COUNT FIVE (FOIA REQUEST - ARMY)

55. Ms. Huffington repeats and realleges the allegations contained in paragraphs 1 through 15 above, inclusive.

56. By letter dated 23 April 1998, Ms. Huffington, by and through counsel, submitted a FOIA request to the Army for all documents pertaining to Ambassador Maurice Larry Lawrence and Shelia Davis Lawrence.

57. No response has been received from Army, although, upon information and belief, the request has been assigned number 98-924.

58. Army has failed to comply with the requisite statutory periods which govern compliance under the FOIA. Therefore, the Army has wrongfully withheld documents from Ms. Huffington.

59. As Army has failed to respond to Ms. Huffington's FOIA request, Ms. Huffington is not required to exhaust administrative remedies.

60. Ms. Huffington has a legal right under the FOIA to obtain the information she seeks, and there is no legal basis for the denial by the Army of said right.

COUNT SIX (FOIA REQUEST - DOS)

61. Ms. Huffington repeats and realleges the allegations contained in paragraphs 1 through 15 above, inclusive.

62. By letter dated 23 April 1998, Ms. Huffington, by and through counsel, submitted a FOIA request to DOS for "(1) All records pertaining to the refurbishment of the U.S. Ambassador's residence in Bern, Switzerland. This request includes all records pertaining to the expenditure of funds to purchase or replace items for the residence. Your search should include, but not be limited to, all relevant file systems at the U.S. Department of State and the U.S. Embassy in Bern, Switzerland. You may restrict your search to all documents created after March 1, 1994." and (2) "All records pertaining to any

fund-raising efforts conducted by the U.S. Government or Ambassador and/or Mrs. Lawrence through, but not limited to, the Lawrence Foundation to refurbish the Ambassador's residence in Bern, Switzerland. Your search should include, but not be limited to, all relevant file systems at the U.S. Department of State and the U.S. Embassy in Bern, Switzerland. You may restrict your search to all documents created after March 1, 1994."

63. By letter dated 27 May 1998, DOS assigned Ms. Huffington's request reference number 199801863.

64. No substantive responses have been received from DOS.

65. DOS has failed to comply with the requisite statutory periods which govern compliance under the FOIA. Therefore, the DOS has wrongfully withheld documents from Ms. Huffington.

66. As DOS has failed to respond to Ms. Huffington's FOIA request, Ms. Huffington is not required to exhaust administrative remedies.

67. Ms. Huffington has a legal right under the FOIA to obtain the information she seeks, and there is no legal basis for the denial by the DOS of said right.

WHEREFORE, plaintiff prays that this Court:

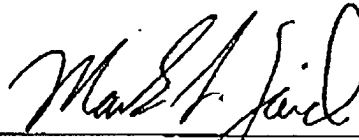
(1) order the DOS, DOJ, FBI, CIA and Army disclose the requested records in their entireties and make copies promptly available to it;

(2) expedite this action in every way pursuant to 28 U.S.C. § 1657 (a);

(3) award plaintiff reasonable costs and attorney's fees as provided in 5 U.S.C. § 552 (a)(4)(E) and/or 28 U.S.C. § 2412 (d); and

(4) grant such other relief as the Court may deem just and proper.

Date: June 4, 1998



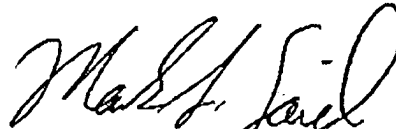
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1501 M Street, N.W.  
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Washington, D.C. 20005  
(202) 785-3801

Counsel for Plaintiff

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 4th day of June 1998, a copy of the foregoing Plaintiff's First Amended Complaint was delivered via facsimile and mail, first class, postage pre-paid, to:

Roderick L. Thomas  
Assistant U.S. Attorney  
U.S. Department of Justice  
Judiciary Center  
555 Fourth Street, N.W.  
Washington, D.C. 20001



Mark S. Zaid, Esq.